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**UNITED STATES BANKRUPTCY COURT**  
**EASTERN DISTRICT OF CALIFORNIA**

In re:  
Daniel James Moss

Lena Dawn Moss

Debtors

Case: 2011-40292  
Hearing Date: November 21, 2011  
Hearing Time: 10AM  
Judge McManus  
Department: A  
Courtroom: 28  
DCN: KH-1

**MOTION TO COMPEL ABANDONMENT**

Kristy A. Hernandez 231141, on behalf of Daniel James Moss and Lena Dawn Moss, the Debtors herein, hereby moves this Court for an Order Compelling the Trustee to Abandon the estate's interest in certain non-real property. This motion is based on the following facts:

1. This case was filed with the Court on August 19, 2011 and Thomas A. Aceituno was duly appointed as Trustee.
2. The filed schedules on this case disclose the Debtors' interest in 2009 Dodge Journey SXT, (hereinafter, "ASSET"). Exhibit A, showing a copy of the relevant portion of Schedule B is attached hereto and incorporated herein by reference. At the time of the filing of the petition, the Debtors placed a 'retail replacement value' on the ASSET, considering its age and condition, at \$12,500.00. Exhibit B, providing independent valuation of the ASSET, is attached hereto and incorporated herein by reference.

3. The schedules further assert that the total of the creditor's liens and the debtor's exemption claims exceeds the value of this property.

4. A summary of the estate's interest in this property is as follows:

a. Value of the ASSET (Schedule B) .....	\$12,500.00
b. Less: Secured debt on the ASSET (Schedule D) .....	\$ 20,666.00
c. Less: Exemption claimed (Schedule C) .....	\$ .00
d. Net value of this property to the estate .....	(8166 .00)

5. The Trustee conducted the §341 Meeting of Creditors on September 26, 2011.

6. The Trustee has not indicated that this property is a target of any liquidation efforts on the part of the estate.

7. The Trustee has not challenged the Debtors' assertion of value or debts,

8. The Trustee has not filed any objection to the Debtors' claim of exemption.

9. Pursuant to 11 US Codes §554(b)

On request of a party in interest and after notice and a hearing, the court may order the trustee to abandon any property of the estate that is burdensome to the estate or that is of inconsequential value and benefit to the estate.

10. The Debtors therefore assert that the ASSET is burdensome and of inconsequential value to the estate and respectfully move this Court to Order the Abandonment of the estate's interest in this property.

Respectfully submitted on October 21, 2011.

/s/ Kristy A. Hernandez 231141  
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